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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/700,258	11/13/2000	Georg Siegl	Q-61663	3625

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EXAMINER

BRANN, DEBORAH M

ART UNIT

PAPER NUMBER

3632

DATE MAILED: 06/28/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/700,258

Applicant(s)

SIEGL, GEORG

Examiner

Deborah M. Brann

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 07 May 2002.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 18-35 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 18,19,21 and 22 is/are rejected.
- 7) ☒ Claim(s) 20 and 23-35 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☒ The proposed drawing correction filed on 07 May 2002 is: a) ☒ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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### **DETAILED ACTION**

This is the second office action for application number 09/700,258, Presentation Device, filed November 13, 2000. Claims 18-35 are pending.

#### ***Specification***

The abstract of the disclosure is objected to because in line 1, "formal" should be --formed--. Correction is required. See MPEP § 608.01(b).

The disclosure is objected to because of the following informalities: on page 20, line 4 of the second paragraph (amended) "236' " should be --236--. Appropriate correction is required.

#### ***Claim Objections***

Claim 27 is objected to because of the following informalities: in line 1, the phrase "the preceding claims" should be deleted. In line 2, "an" should be --and--. Appropriate correction is required.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

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Claims 18-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over German Patent No. 93 01 769 to Künstler in view of French Patent No. 2,754,929 to Chanteur.

Regarding claims 18 and 19, Künstler discloses a presentation device (figure 1) comprising a base (4), a flexible stand composed of flexible uprights (7) plugged into the base with a transverse strut (3) connecting the uprights together, and a holding means (2) for holding a presentation carrier (6) between the stand and the base. Künstler further discloses the base composed of a elongate cross-member (5) and two receptacles (7) into which are plugged the lower end portions of the upright flexible bars (see figure 1), the bores of the receptacles extending obliquely to the vertical direction and parallel to a plane perpendicular to the longitudinal axis of the cross-member (see figure 3).

Künstler does not teach the presentation device having two or more transverse struts. However, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Künstler by another transverse strut. One would have been motivated to add another transverse strut in order to provide additional stability and strength to the presentation device. The addition of a second strut would give the presentation device a double-H shape.

Künstler does not teach the uprights composed of several flexible bars joined together or the use of T-shaped plug connectors to connect the transverse struts to the respective ends of two of the flexible bars. Chanteur discloses a display unit (figure 1) including a upright composed of several flexible bars (23, 24, 25) plugged together.

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Chanteur further discloses plugs for connecting the flexible bars together including T-shaped plugs (5', 8', 21', and 28') for connecting one member of the display unit in a transverse relationship with respect to another member (see figure 1). It would have been obvious to one of ordinary skill in the art at the time the invention was made to have modified Künstler by making the uprights out of several flexible bars as taught by Chanteur. One would have been motivated to make such a modification in order to allow the presentation device to be broken down into a smaller bundle for easier storage. Joining the flexible bars one to another using a T-shaped plug as taught by Chanteur would also have been obvious to one of ordinary skill in the art at the time the invention was made in order that one connector allow both connection of the individual flexible bars to form the uprights as well as attachment of the transverse struts to the uprights.

Regarding claims 21 and 22, Künstler discloses a base comprised of an elongate cross member (5) that also has two receptacles (7) for insertion of the lower end portions of the uprights (4), the bores of the receptacles angled obliquely with respect to vertical and parallel to a plane perpendicular to the longitudinal axis of the cross member (see figure 3).

#### ***Allowable Subject Matter***

Claims 20 and 23-35 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Regarding claim 20, Chanteur teaches the use of T-shaped pieces for connecting an upper transverse bar to a vertical upright. However, it would not have been obvious to modify Künstler to connect the upper transverse bar of the holding means to the uprights using a T-shaped piece.

Regarding claim 23, the prior art does not teach a presentation device using T-Y shaped plug connectors to connect the flexible bars of separate presentation devices together to form two double-H stand structure.

Regarding claim 30, the prior art does not teach a presentation device with elongate foldable feet articulated to the ends of an elongate cross member.

### ***Response to Arguments***

Applicant's arguments filed May 7, 2002 have been fully considered but are not persuasive.

### ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any


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extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Deborah M. Brann whose telephone number is 703-308-3122. The examiner can normally be reached on M-F (8:00 am - 5:30 pm) First Friday off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Leslie A. Braun can be reached on 703-308-2156. The fax phone numbers for the organization where this application or proceeding is assigned are 703-308-3519 for regular communications and 703-305-3597 for formal and After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-1113.

  
Deborah M. Brann  
June 20, 2002

  
ANITA KING  
PRIMARY EXAMINER